

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA,
Plaintiff,
v.
PROVIDENCE GROUP INC., and others,
Defendants.

Case No. 21-cv-07331-NC

**ORDER GRANTING
STIPULATION TO SHORTEN
TIME AND APPROVING
CONSENT JUDGMENT**

Re: ECF 2, 3

On September 21, 2021, the State of California filed a complaint against Defendants for antitrust violations under the Sherman Act, 15 U.S.C. § 1; the Clayton Act, 15 U.S.C. §§ 18, 26; and parallel California state laws. ECF 1 at 2. The violations asserted are premised on the merger of the only two skilled nursing facility providers in Lakeport, California. *See* ECF 1 at 4-5. California brought this suit because this merger could have the anticompetitive effect of leaving only one provider of skilled nursing facilities in this rural area of the state. *See id.* at 6.

For the Court to exercise jurisdiction over this civil action, all parties must consent to the jurisdiction of a magistrate judge under 28 U.S.C. § 636(c). In this case, all parties have consented to the Court's jurisdiction. ECF 8; ECF 9; ECF 10; ECF 15.

With the complaint, California concurrently filed an Unopposed Motion for Entry of Consent Judgment and a Stipulation to Shorten Time. ECF 2; ECF 3. The Motion

1 summarizes the parties' agreement, memorialized in the Consent Judgment, that
2 Defendants will divest one of the two Lakeport facilities to an arms-length third party,
3 North American and Sensen, LLC. ECF 2 at 4. The Consent Judgment also proposed a
4 monitor trustee, Affiliated Monitors, Inc., to oversee the divestiture. *Id.* at 7. California is
5 satisfied that this divestiture would maintain competition in the relevant market. *Id.* at 4-5.
6 And California consulted the Federal Trade Commission on the Consent Judgment; the
7 FTC had no objection. *Id.* at 4. And after carefully reviewing the complaint, Motion, and
8 Consent Judgment, the Court finds entry of the Consent Judgment appropriate.

9 The parties' Stipulation to Shorten Time requests that the Court either
10 "immediately" enter the Consent Judgment and vacate the scheduled hearing or advance
11 the hearing to September 27, 2021. *See* ECF 3 at 3. Given the Court's decision to enter
12 the Consent Judgment, the Court finds that a hearing on the Motion is not necessary.
13 Therefore, the Court grants this Stipulation.

14 Accordingly, the Court: (1) GRANTS the Stipulation to Shorten Time, and (2)
15 GRANTS the Unopposed Motion for Entry of Consent Judgment. The Court retains
16 jurisdiction to enforce the Final Judgment. *See* ECF 2-1 at 15.

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18 **IT IS SO ORDERED.**

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20 Dated: September 29, 2021

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23 NATHANAEL M. COUSINS
24 United States Magistrate Judge
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